

REMARKS

Favorable reconsideration of this patent application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 2-5,7,17,20,22, and 23 have been rejected as being unpatentable over Winn in view of Price under 35 USC 103; Claim 6 has been rejected as being unpatentable over Winn in view of Price and Ferguson under 35 USC 103; Claim 8 has been rejected as being unpatentable over Winn in view of Baker et al. under 35 USC 103; Claims 18 and 21 have been rejected as being unpatentable over Winn in view of Price and Baker et al. under 35 USC 103; and Claim 19 has been rejected as being unpatentable over Winn in view of Price, Baker et al. and Ferguson under 35 USC 103. Claims 22 and 23 have been cancelled, Claims 24 and 25 have been inserted, and consequently, Claims 2-8,17-21,24, and 25 are now active in this patent application.


It is reiterated to the Examiner that the present invention comprises a system wherein, for example, different cigarette cartons, having different height dimensions, initially have their height dimensions determined at a height determination station, and that the data derived as a result of such height determination procedures is then transmitted to a programmable logic controller (PLC) which in turn uses such data to automatically control the various mechanisms at the carton opening station, the tax stamp application station, and the carton closing station such that the mechanisms are disposed at the proper elevations so as to properly interact with the cigarette cartons. New Claims 24 and 25 now set forth the fact that the means for automatically adjusting the elevational disposition of the various mechanisms is not only in accordance with the data determined by the cigarette carton height determination means, but in addition, such means automatically adjusts the various mechanisms independently of the positional disposition of the height determination means. This is vastly different from the system of Price, and it is therefore submitted that Claims 24 and 25, as well as the other dependent claims of this application, patentably define over all of the art of record.

More particularly, it is initially noted that Price does NOT disclose height determination means for the cartons or boxes, but to the contrary, simply detects, in effect, the upper presence of the carton or box. As can be appreciated from FIGURE 4, for example, of Price, when the two sensors 34,34 develop the same positive or negative signals, the sensors 34,34 are both either below or above the upper edge portion of the flaps F1. When the sensors 34,34 develop opposite signals, then this is indicative of the particular level at which the flaps F1 are located. Accordingly, the elevational disposition of the sealing head 20 is controlled by the logic control 29, the valve 28, and the cylinder 26 in response to receiving the aforementioned opposite signals from the sensors 34,34. In particular, the logic control 29 causes the cylinder 26 to move the head 20 upwardly or downwardly until it receives the proper signals from the sensors 34,34. It is also noted that the head 20 and the sensors 34,34 are connected together by means of cable 38. Accordingly, as the head 20 is moved upwardly and downwardly, so are the sensors 34,34. In accordance with the system of the present invention, the mechanisms disposed at the carton opening station, the tax stamp application station, and the carton closing station are moved independently of the disposition of the

height determination means, and this limitation is now recited within newly inserted Claims 24 and 25. It is therefore respectfully submitted that Claims 24 and 25 patentably define over all of the prior art of record, it being noted that the references of Winn, Baker et al., and Ferguson do not rectify the deficiencies noted in connection with Price.

In light of the foregoing, it is submitted that this patent application is now in condition for allowance, and an early and favorable action is now anticipated and awaited.

Respectfully Submitted,
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